## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT CURRIE and
KATHLEEN CURRIE,

CIVIL ACTION

Plaintiffs,

V.

No. 13-6713

STATE FARM FIRE AND CASUALTY
COMPANY,

Defendant.

## ORDER

AND NOW, this 19th day of August, 2014, upon consideration of Defendant, State Farm Fire and Casualty Company's ("State Farm"), Motion for Partial Summary Judgment (Doc. No. 11), Plaintiffs, Robert Currie and Kathleen Currie's ("Plaintiffs"), Response, State Farm's Reply, and Plaintiffs' Sur-Reply, it is hereby **ORDERED** that said Motion is **GRANTED** in part and **DENIED** in part as follows:

- 1. Summary Judgment is **DENIED** as to the Breach of Contract claim (Count I);
- 2. Summary Judgment is **DENIED** as to the Bad Faith claim (Count II), specifically with regard to the issue of whether State Farm's refusal to go to appraisal constitutes bad faith; and
- 3. Summary Judgment is **GRANTED** specifically on the issue of whether State Farm's

dealings	with	Kanga	Roofing	constitutes	bad faith.

BY THE COURT:

/s/ Robert F. Kelly ROBERT F. KELLY SENIOR JUDGE